"बिजनेस पोस्ट के अन्तर्गत डाक शुल्क के नगद भुगतान (बिना डाक टिकट) के प्रेषण हेतु अनुमत. क्रमांक जी. 2-22-छत्तीसगढ़ गजट/38 सि. से. भिलाई, दिनांक 30-5-2001."

पंजीयन क्रमांक
"छत्तीसगढ़/दुर्ग/09/2010-2012."



छत्तीसगढ़ राजपत्र

(असाधारण)
प्राधिकार से प्रकाशित

क्रमांक 225] रायपुर, मंगलवार, दिनांक 5 जुलाई 2011—आषाढ़ 14, शक 1933

विधि और विधायी कार्य विभाग
मंत्रालय, दाऊ कल्याण सिंह भवन, रायपुर

रायपुर, दिनांक 5 जुलाई 2011

क्र. 4719/डी. 143/21-अ/प्रा./छ.ग./11.—भारत सरकार, विधि और न्याय मंत्रालय, विधायी विभाग के पत्र क्र. 2 (3)/11-Leg.I, नई दिल्ली, दिनांक 20 जून 2011 के अनुसरण में दि इंडियन इंस्टिट्यूट आफ इनफारमेशन टेक्नालाजी, डिजाइन एंड मैन्युफैक्चरिंग, कांचीपुरम आर्डिनेन्स, 2011 एतद्द्वारा सर्वसाधारण की जानकारी हेतु पुन: प्रकाशित की जाती है.

छत्तीसगढ़ के राज्यपाल के नाम से तथा आदेशानुसार,
डी. पी. पाराशर, उप-सचिव.

MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 20th June, 2011/Jyaistha 30, 1933 (Saka)

THE INDIAN INSTITUTE OF INFORMATION TECHNOLOGY, DESIGN AND MANUFACTURING, KANCHEEPURAM ORDINANCE, 2011

No. 2 of 2011

Promulgated by the President in the Sixty-second Year of the Republic of India

An Ordinance to declare the Indian Institute of Information Technology, Design and Manufacturing, Kancheepuram, in the State of Tamil Nadu, to be an institute of national importance and to provide for its incorporation and for matters connected therewith.

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for her to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance :—

CHAPTER I

PRELIMINARY

Short title and commencement.

1. *(1)* This Ordinance may be called the Indian Institute of Information Technology, Design and Manufacturing, Kancheepuram Ordinance, 2011.

(2) It shall come into force at once.

Declaration of Indian Institute of Information Technology, Design and Manufacturing Kancheepuram, as an institution of national importance.

2. Whereas the objects of the institution known as the Indian Institute of Information Technology, Design and Manufacturing, Kancheepuram, in the State of Tamil Nadu are such as to make the institution one of national inportance, it is hereby declared that the Indian Institute of Information Technology, Design and Manufacturing, Kancheepuram is an institution of national importance.

Definitions.

3. In this Ordinance, unless the context otherwise requires,—

(a) "Board" means the Board of Governors of the Institute;

(b) "Chairperson" means the Chairperson of the Board;

(c) "Director" means the Director of the Institute;

(d) "Institute" means the instituion known as the Indian Institute of Information Technology, Design and Manufacturing, Kancheepuram incorporated under this Ordinance;

(e) "notification" means a notification published in the Official Gazette;

(f) "prescribed" means prescribed by Statutes made under this Ordinance;

(g) "Ragistrar" means the Registrar of the Institute;

(h) "Senate" means the Senate of the Institute;

(i) "Society" means the society known as the Indian Institute of Information Technology, Design and Manufacturing, Kancheepuram, registered under the Societies Registration Act, 1860; 21 of 1860.

(j) "Statutes" and "Ordinances" means the Statues and Ordinances of the Institute made under this Ordinance;

(k) "Visitor" means the President of India.

CHAPTER II

THE INSTITUTE

Incorporation of Institute.

4. (1) The Indian Institute of Information Technology, Design and Manufacturing, Kancheepuram which is a society registered under the Societies Registration Act, 1860 is hereby constituted as a body corporate by the name aforesaid and as such body corporate, it shall have perpetual succession and a common seal with power, subject to the provisions of this Ordinance, to acquire, hold and dispose of property and to contract and shall, by that name, sue and be sued. 21 of 1860.

(2) The Institute shall consist of a Chairperson, a Director and other members of the Board.

Effect of incorporation of Institute.

5. (1) On and from the commencement of this Ordinance,—

(a) any reference to the Society in any law, other than this Ordinance, or in any contract or other instrument, shall be deemed as a reference to the Institute;

(b) all property, movable and immovable, of or belonging to the Society shall vest in the Institute;

(c) all the rights and liabilities of the Society shall be transferred to, and be the rights and liabilities of the Institute; and

(d) every person employed by the Society, immediately before such commencement shall hold his office or service in the Institute for the same tenure, at the same remuneration and upon the same terms and conditions and with the same rights and privileges as to pension, leave, gratuity, provident fund and other matters as he would have held if this Ordinance had not been promulgated, and shall continue to do so unless and until his employment is terminated or until such tenure, remuneration and terms and conditions are duly altered by the Statutes:

Provided that if the alteration so made is not acceptable to such employee, his employment may be terminated by the Institute in accordance with the terms of contract with the employee or, if no provision is made therein in this behalf, on payment to him by the Institute of compensation equivalent to three months' remuneration in the case of permanent employees and one month's remuneration in the case of other employees.

(2) Any person pursuing any academic or research course, at any time before the commencement of this Ordinance, in the Society for award of any degree or diploma and registered for the said purpose with it shall be deemed to have migrated after such commencement to the Institute incorporated under this Ordinance and be registered with the said Institute for grant of the same degree or diploma by the Institute and such person shall be deemed to have migrated and registered with the Institute incorporated under this Ordinance at the same level of study in the Society from which such person is deemed to have migrated.

Powers and functions of Institute.

6. (1) Subject to the provisions of this Ordinance, the Institute shall exercise the following powers and perform the following functions, namely:-

(a) to provide for instruction and research in such branches of engineering and technology, management, education, sciences and arts, as the Institute may think fit, and for the advancement of learning and dissemination of knowledge in such branches;

(b) to hold examinations and grant degrees, diplomas and other academic distinctions or titles;

(c) to confer honorary degrees or other distinctions;

(d) to fix, demand and receive fees and other charges;

(e) to establish, maintain and manage halls and hostels for the residence of students;

(f) to supervise and control the residence and regulate the discipline of students of the Institute and to make arrangements for promoting their health, general welfare and cultural and corporate life;

(g) to provide for the maintenance of units of the National Cadet Corps for the students of the Institute;

(h) to create administrative, technical, ministerial, academic and other posts with the prior approval of the Central Government, and to make appointments thereto (except in the case of the Director);

(i) to frame Statutes and Ordinances and to alter, modify or rescind the same;

(j) to deal with any property belonging to or vested in the Institute in such manner as the Institute may deem fit for advancing the objects of the Institute;

(k) to receive gifts, grants, donations or benefactions from the Government and to receive bequests, donations and transfers of moveable or immovable properties from testators, donors or transferors, as the case may be;

(l) to co-operate with educational or other institutions in any part of the world having objects wholly or partly similar to those of the Institute by exchange of teachers and scholars and generally in such manner as may be conducive to their common objects;

(m) to institute and award fellowships, scholarships, exhibitions, prizes and medals;

(n) to undertake consultancy in the areas or disciplines relating to the Institute; and

(o) to do all such things as may be necessary, incidental or conducive to the attainment of all or any of the objects of the Institute.

(2) Notwithstanding anything contained in sub-section (1), the Institute shall not dispose of in any manner any immovable property without the prior approval of the Central Government.

Institute to be open to all races, creeds and classes.

7. (1) The Institute shall be open to persons of either sex and of whatever race, creed, caste or class, and no test or condition shall be imposed as to religious belief or profession in admitting or appointing members, students, teachers or workers or in any other connection whatsoever.

(2) No bequest, donation or transfer of any property shall be accepted by the Institute which in the opinion of the Board involves conditions or obligations opposed to the spirit and object of this section.

Teaching at Institute.

8. All teaching at the Institute shall be conducted by or in the name of the Institute in accordance with the Statutes and Ordinances made in this behalf.

Visitor.

9. (1) The President of India shall be the Visitor of the Institute.

(2) The Visitor may appoint one or more persons to review the work and progress of the Institute and to hold inquiries into the affairs thereof and to report thereon in such manner as the Visitor may direct.

(3) Upon receipt of any such report, the Visitor may take such action and issue such directions as the Visitor considers necessary in respect of any of the matters dealt with in the report and the Institute shall be bound to comply with such directions.

Authorities of Institute.

10. The following shall be the authorities of the Institute, namely.-

(a) Board of Governors;
(b) Senate; and
(c) such other authorities as may be declared by the Statutes to be the authorities of the Institute.

Board of Governors.

11. The Board of Governors of the Institute shall consist of the following members, namely:-

(a) the Chairperson, to be nominated by the Visitor;
(b) the Director, *ex officio*;

(c) one person to be nominated by the Government of Tamil Nadu;

(d) four persons to be nominated by the Central Government having special knowledge or practical experience in respect of engineering education, industry, information technology, design and manufacturing industries;

(e) one professor to be nominated by the Senate;

(f) one nominee of the Ministry in the Central Government dealing with Technical Education; and

(g) one nominee of the Ministry in the Central Government dealing with Information Technology;

Terms of office of, vacancies among and allowances payable to, members of Board.

12. (1) Save as otherwise provided in this section, the term of office of the Chairperson or other members of the Board shall be three years from the date of his nomination.

(2) The term of office of an *ex officio* member shall continue so long as he holds the office by virtue of which he is a member.

(3) The term of office of a member nominated under clause (e) of section 11 shall be two years from the 1st day of January of the year in which he is nominated.

(4) The term of office of a member nominated to fill a casual vacancy shall continue for the remainder of the term of the member in whose place he has been nominated.

(5) Notwithstanding anything contained in this section, an outgoing member shall, unless the Board otherwise directs, continue in office until another person is nominated as a member in his place.

(6) The members of the Board shall be entitled to such allowances, if any, from the Institute as may be provided for in the Statutes but no member other than the members referred to in clauses (b) and (e) of section 11 shall be entitled to any salary by reason of this sub-section.

(7) A member may resign his office by writing under his hand addressed to the Central Government but he shall continue in office until his resignation is accepted by that Government.

Powers and functions of Board.

13. (1) Subject to the provisions of this Ordinance, the Board of the Institute shall be responsible for the general superintendence, direction and control of the affairs of the Institute and shall exercise all the powers of the Institute not otherwise provided for by this Ordinance, the Statutes and the Ordinances and shall have the power to review the acts of the Senate.

(2) Without prejudice to the provisions of sub-section (1), the Board shall,-

(a) take decisions on questions of policy relating to the administration and working of the Institute;

(b) institute courses of study at the Institute;

(c) make Statutes;

(d) institute and appoint persons to academic as well as other posts in the Institute;

(e) consider and modify or cancel Ordinances;

(f) consider and pass resolutions on the annual report, the annual accounts and the budget estimates of the Institute;

(g) exercise such other powers and perform such other duties as may be conferred or imposed upon it by this Ordinance or the Statutes

(3) The Board shall have the power to appoint such committees, as it considers necessary for the exercise of its powers and the performance of its duties under this Ordinance.

Senate.

14. The Senate of the Institute shall consist of the following persons, namely :-

(a) the Director, *ex officio*, who shall be the Chairman of the Senate;
(b) the Professors appointed or recognised as such by the Institute for the purpose of imparting instructions in the Institute;
(c) three persons, not being employees of the Institute, to be nominated by the Board from among educationists of repute, one each from the fields of science, engineering and humanities; and
(d) such other members of the staff as may be laid down in the Statutes.

Functions of Senate.

15. Subject to the provisions of this Ordinance, the Statutes and the Ordinances, the Senate shall be the principal academic body of the Institute and shall have control over and be responsible for maintenance of standards of education, teaching and training, inter-departmental coordination, research, examinations and tests within the Institute and shall exercise such other powers and discharge such other duties and functions as may be prescribed or conferred upon it by the Statutes.

Powers and functions of Chairperson.

16. (1) The Chairperson shall preside at the meetings of the Board and at convocations of the Institute.

(2) It shall be the duty of the Chairperson to ensure that decisions taken by the Board are implemented.

(3) The Chairperson shall exercise such powers and perform such duties as may be assigned to him by or under this Ordinance, Statutes or by resolution of the Board.

Director.

17. (1) The Director of the Institute shall be appointed by the Visitor, on whose directions the Board shall issue an order of appointment.

(2) The Director shall be the principal academic and executive officer of the Institute and shall be responsible for proper administration of the Institute and for imparting of instruction and maintenance of discipline therein.

(3) The Director shall submit annual reports and accounts to the Board.

(4) The Director shall exercise such powers and perform such other duties as may be assigned to him by this Ordinance, the Statutes or Ordinances or by resolution of the Board.

Registrar.

18. (1) The appointment of the Registrar of the Institute shall be on such terms and conditions as laid down by the Statutes.

(2) The Registrar shall be the custodian of records, the common seal, the funds of the Institute and the property of the Institute, as the Board shall commit to his charge.
(3) The Registrar shall act as the Secretary of the Board and such committees, as may be prescribed by the Statutes.
(4) The Registrar shall exercise such other powers and perform such other duties as may be assigned to him by this Ordinance or the Statutes or the Board or the Director and in exercising such powers and in performing such duties, he shall be responsible to the Director for the proper discharge of his functions.

19. The powers and duties of officers other than those mentioned in this Chapter shall be determined by the Statutes. Other authorities and officers

20. For the purpose of enabling the Institute to discharge its functions efficiently under this Ordinance, the Central Government may after due appropriation made by Parliament by law in this behalf, pay to the Institute in each financial year such sums of money and in such manner as it may think fit. Grants by Central Government

21. (1) The Institute shall maintain a fund to which the following shall be credited, namely:- Funds of Institute

(a) all moneys provided by the Central Government or any State Government;

(b) all fees and other charges received by the Institute;

(c) all moneys received by the Institute by way of grants, gifts, donations, benefactions, bequests or transfers; and

(d) all moneys received by the Institute in any other manner or from any other source.

(2) All moneys credited to the Fund of the Institute shall be deposited in such banks or invested in such manner as the Institute may, with the approval of the Central Government, decide.

(3) The Fund of the Institute shall be applied towards meeting the expenses of the Institute, including expenses incurred in the exercise of its powers and discharge of its duties under this Ordinance.

22. (1) The Institute shall maintain proper accounts and other relevant records and prepare an annual statement of accounts, including the balance sheet, in such form as may be specified, by notification, by the Central Government in consultation with the Comptroller and Auditor-General of India. Accounts and audit.

(2) The accounts of the Institute shall be audited by the Comptroller and Auditor-General of India and any expenditure incurred by him in connection with such audit shall be payable by the Institute to the Comptroller and Auditor-General of India.

(3) The Comptroller and Auditor-General of India and any person appointed by him in connection with the audit of the accounts of the Institute shall have the same rights, privileges and authority in connection with such audit as the Comptroller and Auditor-General of India has in connection with the audit of the Government accounts, and, in particular, shall have the rights to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect the offices of the Institute.

(4) The accounts of the Institute as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf together with the audit report thereon shall be forwarded annually to the Central Government and that Government shall cause the same to be laid before each House of Parliament in accordance with such procedure as may be laid down by the Central Government.

23. (1) The Institute shall constitute for the benefit of its employees, including the Director in such manner and subject to such conditions as may be prescribed by the Statutes, such pension and provident funds and provide such insurance scheme as it may deem fit. Pension and provident fund.

19 of 1925. (2) Where any such provident fund has been so constituted, the Central Government may declare that the provisions of the Provident Funds Act, 1925 shall

apply to such fund as if it were a Government Provident Fund.

Appointments.

24. All appointments of the staff of the Institute, except that of the Director, shall be made in accordance with the procedure laid down in the Statutes, by -

(a) the Board, if the appointment is made on the -

(i) academic staff in the post of Associate Professor or above; or

(ii) non-academic staff in any cadre up to a scale of pay as decided by the Board; and

(b) the Director, in other cases.

Statutes

25. Subject to the provisions of this Ordinance, the Statutes may provide for all or any of the following matters, namely:-

(a) the conferment of honorary degrees;
(b) the formation of departments or divisions of teaching;
(c) the fees to be charged for courses of study in the Institute and for admission to the examinations of degrees and diplomas of the Institute;
(d) the institution of fellowships, scholarships, exhibitions, medals and prizes;
(e) the term of office and the method of appointment of officers of the Institute;
(f) the qualifications of teachers of the Institute,
(g) the classifications, the method of appointment and the determination of the terms and conditions of service of teachers and other staff of the Institute;
(h) the constitution of pension and provident funds and insurance scheme for the benefit of the officers, teachers and other staff of the Institute;
(i) the constitution, powers and duties of the authorities of the Institute;
(j) the establishment and maintenance of halls and hostels;
(k) the conditions of residence of students of the Institute and the levying of fees for residence in the halls and hostels and of other charges ;
(l) the allowances to be paid to the Chairperson and members of the Board;
(m) the authentication of the orders and decisions of the Board;
(n) the meetings of the Board, the Senate, or any Committee, the quorum at such meetings and the procedure to be followed in the conduct of their business;
(o) any other matter which by this Ordinance is to be or may be prescribed by the Statutes.

Statutes, how made.

26. (1) The first Statutes of the Institute shall be framed by the Central Government with the previous approval of the Visitor and a copy of the same shall be laid as soon as may be before each House of Parliament.

(2) The Board may, from time to time, make new or additional Statutes or may amend or repeal the Statutes in the manner provided in this section.

(3) Every new Statute or addition to the Statutes or any amendment or repeal of Statute shall require the previous approval of the Visitor who may assent thereto or withhold assent or remit it to the Board for consideration.

(4) A new Statute or a Statute amending or repealing an existing Statute shall have no validity unless it has been assented to by the Visitor.

Ordinances.

27. Subject to the provisions of this Ordinance and the Statutes, the Ordinances of the Institute may provide for all or any of the following matters, namely:-

(a) the admission of the students to the Institute;
(b) the courses of study to be laid down for all degrees and diplomas of the Institute;
(c) the conditions under which students shall be admitted to the degree or

diploma courses and to the examinations of the Institute, and shall be eligible for degrees and diplomas;

(d) the conditions of award of the fellowships, scholarships, exhibitions, medals and prizes;

(e) the conditions and mode of appointment and duties of examining bodies, examiners and moderators;

(f) the conduct of examinations;

(g) the maintenance of discipline among the students of the Institute; and

(h) any other matter which by this Ordinance or the Statutes is to be or may be provided for by the Ordinances.

Ordinances how made.

28. (1) Save as otherwise provided in this section, Ordinances shall be made by the Senate.

(2) All Ordinances made by the Senate shall have effect from such date as it may direct, but every Ordinance so made shall be submitted, as soon as may be, to the Board and shall be considered by the Board at its next succeeding meeting.

(3) The Board shall have power by resolution to modify or cancel any such Ordinance and such Ordinance shall from the date of such resolution stand modified accordingly or cancelled, as the case may be.

Tribunal of Arbitration.

29. (1) Any dispute arising out of a contract between the Institute and any of its employees shall, at the request of the employee concerned or at the instance of the Institute, be referred to a Tribunal of Arbitration consisting of one member appointed by the Institute, one member nominated by the employee, and an umpire appointed by the Visitor.

(2) The decision of the Tribunal shall be final and shall not be questioned in any court.

(3) No suit or proceeding shall lie in any court in respect of any matter, which is required by sub-section (1) to be referred to the Tribunal of Arbitration.

(4) The Tribunal of Arbitration shall have power to regulate its own procedure.

(5) Nothing in any law for the time being in force relating to arbitration shall apply to arbitrations under this section.

CHAPTER III
MISCELLANEOUS

Control by Central Government.

30. The Institute shall carry out such directions as may be issued to it from time to time by the Central Government for the efficient administration of this Ordinance.

Acts and proceedings not to be invalidated by vacancies, etc.

31. No act of the Institute or Board or Senate or any other body set up under this Ordinance or the Statutes shall be invalid merely by reason of–

(a) any vacancy in or defect in the constitution thereof; or

(b) any defect in the selection, nomination or appointment of a person acting as a member thereof; or

(c) any irregularity in its procedure not affecting the merits of the case.

Power to remove difficulties.

32. (1) If any difficulty arises in giving effect to the provisions of this Ordinance, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Ordinance, as may appear to it to be necessary or expedient for removing the difficulty.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before each of House of Parliament.

Transitional provisions. 33. Notwithstanding anything contained in this Ordinance,—

(a) the Board of Governors of the institute functioning as such immediately before the commencement of this Ordinance shall continue to so function until a new Board is constituted for the Institute under this Ordinance, but on the constitution of a new Board under this Ordinance, the members of the Board holding office before such constitution shall cease to hold office;

(b) the Senate constituted in relation to the Institute before the commencement of this Ordinance shall be deemed to be the Senate constituted under this Ordinance until a Senate is constituted under this Ordinance for the Institute, but on the constitution of the new Senate under this Ordinance, the members of the Senate holding office before such constitution shall cease to hold office.

PRATIBHA DEVISINGH PATIL,
President.

V. K. BHASIN,
Secy. to the Govt. of India.

CORRIGENDA

In the Gazette of India, Extraordinary, Part II, Section 1, issued as Issue No. 37, published on Vaisakha 29, 1925 (Saka) publishing the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (34 of 2003), in the Block of the Gazette occurring on page 1,—

(i) *for* "मई 19, 2002", read "मई 19, 2003";

(ii) *for* "May 19, 2002", read "May 19, 2003".

संचालक, मुद्रण तथा लेखन सामग्री, छत्तीसगढ़ द्वारा शासकीय क्षेत्रीय मुद्रणालय, राजनांदगांव से मुद्रित तथा प्रकाशित—2011.